

LUD 5466.4 CIP - JEL/NDH

A composition comprising a mixture of at least two of the polypeptides defined by SEQ ID NOS: 8, 9 and 10.

Claim 80 read as follows:

A composition comprising a mixture of at least two of the polypeptides defined by SEQ ID NOS: 8, 9 and 10.

Please refer to the above comment from the final rejection, indicating that claim 80 is allowable "if rewritten in independent form." Since it was in independent form, it was allowable.

Claim 93 reads exactly as claim 80 did. So it, too, should be allowable. If the examiner has changed her mind – which she is free to do – then the appropriate and required approach is to re-open prosecution, not to raise a new issue on advisory.

3. Unanswered Questions

In their July 24 submission, questions were asked and not addressed. With all due respect, the examiner's remarks do not address them.

This application is in condition for allowance.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.



Norman D. Hanson, Esq.  
Registration No. 30,946

666 Fifth Avenue  
New York, New York 10103-3198  
Telephone: 212-318-3168  
Telecopier: 212-318-3400